



County of Riverside
DEPARTMENT OF ENVIRONMENTAL HEALTH

P.O. BOX 7909 • RIVERSIDE, CA 92513-7909

STEVE VAN STOCKUM, DIRECTOR

Date: October 3, 2017

System No. 3301359

Kennedy Grocery
Attn: Gilbert Ramirez
56400 Monroe St.
La Quinta, CA 92253

Enclosed is Citation No. 05_63_17C_012 issued to Kennedy Grocery public water system. Please note that there are certain deadlines associated with this Citation.

Any person who is aggrieved by a Citation issued by the Riverside County LPA may file a petition with the State Water Resources Control Board (State Water Board) for reconsideration of the Citation. Petitions must be received by the State Water Board within 30 calendar days of the issuance of the Citation. The date of issuance is the date when the Riverside County LPA mails or serves a copy of the Citation, whichever occurs first. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. Information regarding filing petitions may be found at:

http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml

If you have any questions regarding this matter, please contact me at (760) 863-7570.

Sincerely,

Jackie Jones, REHS
Environmental Health Specialist

Certified Mail: 7007 3020 0001 6550 3627



County of Riverside
DEPARTMENT OF ENVIRONMENTAL HEALTH

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STEVE VAN STOCKUM, DIRECTOR

**CITATION FOR NONCOMPLIANCE – WATER SYSTEM NO. 3301359
NO. 05_63_17C_012**

Re: Kennedy Grocery
LPA #3301359
56400 Monroe St.
La Quinta, CA 92253

Date: October 3, 2017

To: Kennedy Grocery
Attn: Gilbert Ramirez
56400 Monroe St.
La Quinta, CA 92253

Section 116650, Article 9, Chapter 4, Part 12, Division 104 of the California Health and Safety Code (H&S Code), authorizes the issuance of a citation for failure to comply with the requirements of the California Safe Drinking Water Act, or any regulation, standard, permit order issued there under.

VIOLATION

The Department of Environmental Health (Department), hereby issues a citation to Kennedy Grocery for the following violation:

Title 22 of the California Code of Regulations (CCR), Section 64426.1 (b) (2). Specifically, Kennedy Grocery failed the Total Coliform Maximum Contaminant Level (MCL) during the month of August 2017: For a public water system which collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive.

Title 22 of the CCR, Section 64430. Specifically, Kennedy Grocery failed to sample the well after receiving a total coliform present result from the distribution system. Kennedy Grocery water system does not have a sample tap that represents the well.

CHRONOLOGY OF EVENTS

This is a Transient Non-Community water system serving a retail store and one single family home.

The well is a deep 6 inch diameter well with a submersible pump. The well is located in a below grade pit. The water pumps from the well into two 500 gallon pressure tanks, then out into the distribution system.

Recent History:

On July 13, 2017, Gilbert Ramirez, Kennedy Grocery owner, received a Notice of Violation for failing to collect the second quarter bacteriological sample for 2017, for Kennedy Grocery water system. Due to recurrent violations of this requirement, an Administrative Hearing was called for August 15, 2017.

On July 13, 2017, Ramirez collected the third quarter bacteria sample from an outside hose bib (west side of store). The laboratory notified this Department on July 14, 2017, and reported a total coliform present/E.coli absent result. This Department notified Gilbert Ramirez on July 14, 2017, and instructed him to take four resamples.

On July 14, 2017, Ramirez collected four bacteria resamples (outside hose bib-west side of store, inside front faucet, inside bathroom faucet and inside faucet). All results were absent for total coliform bacteria. This Department asked Ramirez if the well was sampled after the total coliform present result. Mr. Ramirez stated that there is not a current sample tap that represents the well.

On August 15, 2017, an Administrative Hearing was held in the Indio Office with Mr. Ramirez. The Administrative Hearing Decision included routine bacteria sampling, the recent total coliform present results and the outstanding violations from the February 1, 2017, routine inspection of the water system. One of required corrections and also an outstanding violation is to install a proper sample tap that represents the well by October 16, 2017.

On August 31, 2017, Ramirez collected five routine samples, as per the Total Coliform Rule: left front faucet, home inside faucet, inside store faucet, left front faucet and outside rear faucet. The laboratory notified this Department on September 1, 2017, and reported the following results: Both left front faucet samples and outside rear faucet samples were total coliform present/E.coli absent. This Department notified Ramirez on September 1, 2017, and instructed him to take four resamples.

The water system was chlorinated and flushed. On September 7, 2017, Ramirez collected four resamples (outside hose bib, home inside faucet, store inside faucet and left front faucet). All results were absent for total coliform bacteria.

As per the Federal Revised Total Coliform Rule, a Level 1 Assessment was triggered after the August 31, 2017, results. It was completed by Ramirez and dated September 26, 2017, and returned to this Department on September 29, 2017. The summary attributed the possible cause of the total coliform results to be from lack of proper sampling procedures. Corrective actions include properly cleaning and sealing around the well head. Corrective actions must be completed by October 16, 2017.

All consumers served by this water system were notified of this violation, as required in Section 64426.1 (c). A Resolved Tier 2 Notice was submitted to Gilbert Ramirez on September 13, 2017. Proof of Notification was provided to this Department. The Proof indicated that the Tier 2 Notice was posted in conspicuous locations throughout the area served and remained posted for at least 7 days. The Proof of Notification stated that it was completed on September 20, 2017.

DIRECTIVES

Your public water system must be maintained so that the total coliform MCL is not violated.

Submit five routine bacteriological samples in October 2017. The well must also be sampled for bacteria at that time.

Correct all of the outstanding violations from the August 15, 2017, Administrative Hearing by the deadline dates. One of these outstanding violations is to provide an approved sample tap to represent the well water before the water enters the pressure tanks.

Contact this Department to schedule a reinspection of the outstanding violations from the August 15, 2017, Administrative Hearing.

The required coliform bacteria follow-up sampling to an unsatisfactory routine sample is described below. This must be completed each and every time that a routine coliform bacteria sampling is unsatisfactory.

1. Within 24 hours of being notified of an unsatisfactory coliform bacteria result by your laboratory, collect four resamples. If you are unable to collect the resamples within 24 hours, contact this Department. Collect the resamples at the sample tap where the unsatisfactory sample was taken, an upstream sample within five service connections of the unsatisfactory site, a downstream sample within five service connections of the unsatisfactory site, and a sample at the source(s) of water for the distribution system.
2. If any of the resamples are unsatisfactory, additional sets of resamples must be taken. Contact this Department for guidance.
3. In the month following the unsatisfactory sample collect five coliform bacteria samples.

FURTHER ENFORCEMENT ACTION

Failure to comply with this notice and/or failure to comply with Title 22 of the California Code of Regulations may result in assessment of administrative penalties. This Department does not waive any further enforcement action by issuance of this citation.

If you have any questions, please contact me at (760) 863-7570.



Jackie Jones, REHS
Environmental Health Specialist